

(3) to appoint the law firms of Berger & Montague, P.C., Bailey & Glasser LLP, and Fishman Haygood Phelps Walmsley Willis and Swanson LLP as Class counsel.²

The supporting memorandum of law,³ declarations, and exhibits, show that each requirement of Fed. R. Civ. P. 23(a) is satisfied, the class can be maintained under Fed. R. Civ. P. 23(b)(3), and proposed class counsel should be appointed to represent the class pursuant Fed. R. Civ. P. 23(g). Accordingly, the proposed class should be certified.

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²The firm resumes from each of the proposed Class Counsel are attached to this Motion as Exhibits 1 to 3.

³According to this Court's standing rule on Memoranda of Law, all authority cited in the Memorandum of Law found only on electronic databases are attached to this Motion as Exhibit 4.

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